

GAHC040009542024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : CRP/28/2024

Bali Bam and 2 Ors

Son of Late Nyiba Bam, President, Bamv Ao Welfare Society, Hq Bam, a permanent resident of Basar Village, PO and PS Basar, Leparada District, Arunachal Pradesh

2: Jumnya Tao

Age:

Occupation :

Son of Shri Ijum Tao

General Secretary

Bamv Ao Welfare Society

Hq Bam

a permanent resident of Uli Village

PO and PS Likabali

Lower Siang District

Arunachal Pradesh

3: Dr Jumdak Bam

Age:

Occupation :

Son of Late Binjum Bam

Chairman Drafting Committee and Convenor

Bamv Ao Welfare Society

Hq Bam

a permanent resident of Basar Village

PO and PS Basar

Leparada District

Arunachal Pradesh

VERSUS

Ibom Tao and 2 Ors

Son of Shri Kari Tao, a permanent resident of Liru Village, PO and PS Likabali, Lower Siang District, Arunachal Pradesh 2:Iken Tao

Age: 0

Occupation :
Son of Shri Kari Tao
a permanent resident of Liru Village
PO and PS Likabali
Lower Siang District
Arunachal Pradesh

3:Igo Tao
Age: 0
Occupation :
Son of Shri Kari Tao
a permanent resident of Bali Village
PO and PS Likabali
Lower Siang District
Arunachal Pradesh

Advocate for the Petitioner : Limi Bam

Advocate for the Respondent :

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

Date : 31.07.2024.

Heard Mr. I. Bam, learned counsel for the petitioners.

This Revision Petition is filed assailing the order dated 03.07.2024, passed by the learned Civil Judge (Senior Division) at Pasighat, whereby the Replication, filed by the respondents has been accepted, on the ground that acceptance of such Replication is in violation of Order 8, Rule 9 of the CPC.

Issue notice to the respondents, returnable in four (4) weeks.

Petitioners to take steps for service of notice upon the respondents, by Registered post with A/D, within two (2) days from today.

Considering that the impugned order dated 03.07.2024, passed by the

learned Civil Judge (Senior Division), prima facie appears to be in violation of the provision of Order 8, Rule 9 of the CPC, the impugned order shall remain stayed till the returnable date.

Needless to provide that since the interim order is passed without hearing the respondents, the respondents may file appropriate application for modification, if so advised.

List the matter after four (4) weeks.

JUDGE

Comparing Assistant